

March 6, 2018

ERIE COUNTY COUNCIL – Regular Meeting

Chairman Foust called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Erie County Council Chambers, 140 West 6th Street, Room 117, Erie, PA. Following the Pledge of Allegiance, Mrs. Fatica read the following prayer:

“Tonight we ask for guidance and a prayer of St. Francis of Assisi. Lord, make me an instrument of your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. Amen.”.

Roll Call

Following the Pledge of Allegiance, the County Clerk called the roll:

Members Present: Mr. Anderson
Mrs. Fatica
Mr. Horton
Mr. Leone
Mrs. Loll (via telephone)
Mr. Rastetter
Dr. Foust

Members Absent: None.

Also Present: Douglas R. Smith, County Clerk
Sue Ellen Pasquale, Manager of Accounting
James Sparber, Director of Finance
Thomas Talarico, Solicitor

Hearing of The Public

Jason Brendel, Erie, PA; Mr. Brendel gave a handout to County Council regarding gay conversion therapy statistics, petitions, and links. Mr. Brendel stated that if Council does not ban gay conversion therapy, the LGBT youth in Erie County are 8 times more likely to attempt suicide; 6 times more likely to report high levels of depression, and 3 times more likely to use illegal drugs and high risk for HIV and STDs. Mr. Brendel stated that he is the former regional co-director of the Marriage Equality for Pennsylvania group. This group dealt with marriage equality and non-discrimination laws, and gay conversion therapy. There is now a petition with over 8,000 signatures supporting a ban on gay conversion therapy. He will be working with the HRC to draw up an ordinance to ban gay conversion therapy in Erie County. He also stated that there are six municipalities in Pennsylvania that have banned this type of therapy: Allentown, Reading, Philadelphia, Pittsburgh, Doylestown, and State College. He would like the conversation to begin with the City, the County, and the HRC, for the community.

Hugh McCartney, North East, PA; Mr. McCartney wanted to address the inadequacies of Erie County’s voting system. There is no paper trail for each vote and a recount cannot be done. He stated this needs to be fixed. The machines are older and coming to the end of their useful life. He was also aware of the cost to replace the voting machines. He asked what is going to be done and that this issue needs to remain in the public eye. He stated that if the public knew that a recount could not be done, the auditors would prove, there would probably be an uprising or outrage. Mr. McCartney stated that there are two options – pony up the millions of dollars to replace the machines, or go back to paper ballots. If new machines are purchased, the money would go to Wichita, Kansas, and then payment for upgrades. If there are paper ballots, people in Erie County would get paid to count them, administer them, and the money would stay in Erie County. There was a study done that stated that if you can’t trust the system, go back to paper ballots. He stated that Canada does their Federal elections on paper, along with Holland.

Pat Deck, Fairview Township; Mr. Deck gave an update on an investment that County Council made in 2014 of \$100,000 for the emergency vehicle transit system for Erie County. This funding

provided 57 intersections with updates throughout the County – Summit, Millcreek, Fairview, Harborcreek, Lawrence Park, and it was the impetus that got PennDOT to commit to putting the emergency vehicle pre-emption in every one of their upgrades since that time. This includes East 38th Street, Interchange Road by the Millcreek Mall, the interchanges at 79 onto 12th Street – Greengarden and Lincoln Avenue. He stated that the \$100,000 has grown into a vision that Council had at that point by putting in the \$100,000 so the municipalities would also match it with another \$100,000. He stated that LECOM Health Systems also gave \$30,000. Today, 110 intersections have now been upgraded through Erie County. PennDOT remains committed to it and with a new administration in the City of Erie, the tide has changed and the City is now open to adding emergency vehicle pre-emption and the updated equipment needed. Mr. Deck wanted to give credit to Council for being the base and the foundation to help that \$100,000 grow as it did, an additional \$500,000 invested. He wanted to thank Council for the leadership, their vision, and their help in a very important, life-saving, public safety project.

Cindy Purvis, Erie, PA; Ms. Purvis discussed the voting machine issue and wanted to back up what Mr. McCartney stated. The governor is so concerned and has mandated that all new voting machines purchased have a paper trail. This is heard almost every day on the news and people are concerned about the voting machines. There are several counties in the Commonwealth that do have paper trails. She wanted to encourage Council to find a way to get paper trails on those machines before the November election. She suggested that gaming revenue might be a possibility to help pay for the machines. She further suggested if that's not possible, a paper ballot could be used just like the absentee ballots. Ms. Purvis commented that the people need to be able to depend on their vote and you can't have people not showing up to vote because they feel that their vote won't be counted. She thanked Council for their work and encouraged them to take up this important issue.

Elsbeth Koehle, Erie, PA; Ms. Koehle discussed the proposed changes to the LERTA ordinance in the City. The Mayor wants to make it city-wide. She was here on behalf of the Erie Community Benefits Agreements Coalition to ask Council to consider the changes that were sent to Mr. Smith. These changes include fair hiring practices, jobs that will be created that are not just minimum wage jobs, etc. More like an emergency jobs act. The Coalition is asking Council to NOT approve the city-wide LERTA unless it absolutely does include these changes that the Coalition has brought to Council's attention. She submitted copies of the changes for Council to review.

Sister Michelle Schroeck, House of Mercy; Sister Michelle wanted to commend Council on taking leadership with the Land Bank and sharing resources with the City of Erie. She felt that really showed leadership and she hoped they would continue that leadership as well with the LERTA agreements that provide living wage jobs.

Paul Chimenti, Erie, PA; Mr. Chimenti wanted to reiterate what was said regarding the voting machines. He felt that society is so polarized, spending billions of dollars in defense of the country, and he has no objection to that, but if the voting machines are not secure they are a "Trojan horse" and whoever loses an election will have an excuse to say it was fixed. He urged Council to take this seriously because a lot of Americans are taking it seriously.

Christine Park, Erie, PA; Ms. Park discussed the voting machine issue. She stated she does not have any faith in voting anymore and has lost that faith entirely. She wanted to echo what has been said regarding the need for paper ballots and that Erie County should switch back to using them. People should not have to go on worrying about whether their votes count.

Martha Wachuga, Erie, PA; Ms. Wachuga wanted to speak in support of the enhancement to LERTA. She felt that developers should be encouraged to come to Erie County and make sure that opportunities for local Erieites to have employment and allowing people to have those tax breaks, but using this opportunity to help the people of the City of Erie and the County.

Approval of Minutes

Mr. Leone moved to approve the minutes the February 20, 2018, Regular Meeting. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

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**Reports of
County Officials**

Mrs. Fatica stated that the Finance Committee met on March 1, 2018, and agreed to place Ordinance 21, 2018, and Resolutions 19-20, 2018 and a sale of parcel to the agenda.

There was no report from the Personnel Committee.

Mr. Horton addressed the audience, stating it is not protocol to respond to hearing of the public. He wanted to speak regarding the Election Board and voting machine issues since he is the Chair of the Election Board. Mr. Horton commented that there has been dialogue over the past year and a half and research has been done and shared with Mr. McCartney. Mr. Horton clarified that a recount is actually able to be done, but a paper trail is not able to be given. He stated that he is here because of a recount, as some may already know. The cost for new machines will be \$25-30 million and what was told to Mr. McCartney previously has not changed and the County continues to reach out to the State. The voting machines are coming to the end of life and Erie County taxpayers cannot afford to do a \$25-30 million machine change without it being a funded mandate from the State or Federal government. Mr. Horton had the opportunity to watch a recount and hand count and witnessed it in person and watched how the staff counted the votes for days on just one election race. That is not a practical answer to return to the paper ballot. He invited anyone to come up with further solutions and welcomed those to come down and voice their opinion.

Regarding the LERTA issue and the CBA Coalition, he stated he is proud to see there is a coalition working towards community benefit agreements. A few weeks ago he gave a short dissertation on the 24 Wall Street/USA Today article and he put responsibility on himself first. There hasn't been any response to substantially result in any action being taken to alleviate that declaration that Erie is the worst place in America for African-Americans to live. In addition to that, just last week the 16501 was declared to be the poorest zip code in the Commonwealth. It runs the 12th street corridor to right around the courthouse. It is the epicenter of the Erie Refocused line. LERTA is a city-wide issue and they are asking for adjustments, and Mr. Horton felt there should be adjustments and tangible benefits to the citizens, particularly those being gentrified. He stated that while the County and City undergoes this great renaissance and development that is much needed and much appreciated, there are still people being left behind, pushed out, and displaced. He felt there has to be a way that the citizens enjoy some of the corporate/tax giveaway besides promises of jobs, oftentimes minimum wage jobs. He stated it warms his heart to see that the Coalition is moving into that direction and he has advocated community benefit agreements nearly four years ago and it makes good public policy to do local hiring if nothing else, and to leave local dollars in local communities to matriculate into local retailers and businesses, local households, and local families.

OLD BUSINESS

None.

**Motion to Amend
Agenda**

Mr. Leone moved to amend the agenda, making Ordinance 21, 2018 a second reading. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

NEW BUSINESS

**Ord. 21, 2018 – GF
SA for Release of
Rest. Reg. of Wills
Automation Fees**

Mr. Smith gave a second reading of Ordinance Number 21, 2018, "Eleventh 2018 General Fund Budget Supplemental Appropriation of \$39,545 for Release of Restricted Register of Wills Automation Fees". This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

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**Res. 19, 2018 – Appr.
Deputy Tax Coll. In
Springfield Twp.**

Mr. Smith gave a reading of Resolution Number 19, 2018, “Approving the Appointment of Deputy Tax Collector in Springfield Township”. This was moved by Mr. Leone, seconded by Mrs. Fatica and carried in a unanimous roll call vote.

**Res. 20, 2018 – Adopt.
Of 2018 Hazard Mit.
Plan**

Mr. Smith gave a reading of Resolution Number 20, 2018, “Adoption of 2018 Erie County Hazard Mitigation Plan”. This was moved by Mr. Leone, seconded by Mr. Anderson, and carried in a unanimous roll call vote.

SALE OF PARCELS

Mr. Leone moved to approve the Sale of Parcels from Repository for Unsold Property at Index Number 18-051-001.0-225.00. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

There being no further business, the meeting then adjourned at 7:30 p.m.

Deneé M. Breter, Council Secretary
